

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VECTOR CAPITAL CORP

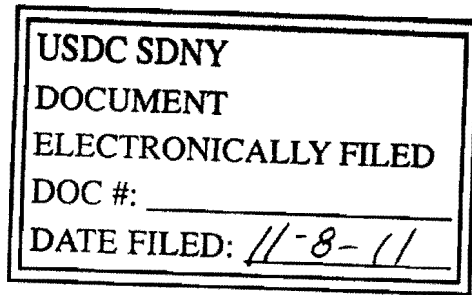
Plaintiff(s),

- against -

NESS TECHNOLOGIES, INC

Defendant(s).

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// Civ. 6259 (PKC)

ORDER FOLLOWING
PRETRIAL CONFERENCE

As result of a pretrial conference held before the Court today, the following is ORDERED:

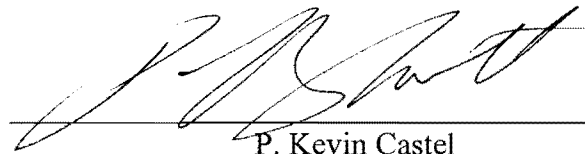
- Plaintiff has been offered the opportunity to amend*
1. By _____, 2011, shall _____
*but has declined. This will be taken into account
in any further request to replead.*
 2. By *November 23*, 2011, *Defendant* shall, *if it chooses, move*
to dismiss. Plaintiff shall respond by December 12, 2011.
Defendant may reply by December 30, 2011
 3. By _____, 2011, shall _____
*Based upon the discussion at the pretrial
conference, discovery will not be stayed.*

4.

5.

6. The next Case Management Conference [the Final Pretrial Conference] will be held on _____ at _____ am/pm. Any conference scheduled for a date prior thereto is adjourned.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York

11-8-11